

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gary L. Nelsestuen Art Unit : 1656
Serial No. : 10/031,005 Examiner : Holly G. Schnizer
Filed : October 29, 2001 Confirmation No.: 3846
 Notice of Allowance Date: September 21, 2006
Title : MODIFIED VITAMIN K-DEPENDENT POLYPEPTIDES

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE

In the Notice of Allowance, the Examiner presented reasons for allowance and made several statements regarding U.S. patents and publications, including U.S. Serial No. 09/497,591 (the '591 application; now U.S. Patent No. 6,747,003). Applicant notes, however, that the Examiner's statements regarding the teachings of the '591 application are incorrect, as discussed in a telephonic interview with the Examiner on December 14, 2006. In particular, the statement that "the '591 application does not disclose or suggest the factor VII with the substitution of glutamate at position 34 (position 35 according to the numbering of the '591 application)" is not correct. Applicant further notes, nevertheless, that the '591 application is not prior art under 35 U.S.C. § 102(e) or 35 U.S.C. §102(e)/103, as the inventor of the '591 application is the same as the inventor of the instant application and thus the '591 application is not "by another." Applicant thanks the Examiner for correcting the Notice of Allowance in this regard in the summary of the interview on December 14, 2006.

Please apply any additional charges or credits as a large entity to our Deposit Account No. 06-1050.

Respectfully submitted,

Date: December 18, 2006

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